REMARKS

Applicant has carefully considered the Application in view of the Examiner's Office Action and, in light of the following remarks, respectfully requests reconsideration and full allowance of all pending claims.

Traverse of Finality of Rejection

Claims 1-7, 9-11, and 13-20 are pending in the Application and have been finally rejected. Applicant respectfully traverses the finality of the rejection because it relies on newly-cited art that was neither submitted in an information disclosure statement nor introduced in response to an amendment of the claims. (*See* MPEP 706.07(a))

Briefly, a number of office actions have been issued by the Patent Office and responded to by Applicant. The pending Office Action, mailed March 19, 2008, was issued in response to an Amendment of Appellant's Brief on Appeal (*filed* December 15, 2007) and (presumably) to the Appeal Brief itself. Applicant's Notice of Appeal and Appeal Brief were filed by Applicant in response to a final Office Action mailed August 9, 2007.

The previous Office Action, mailed August 9, 2007, stated (on page 11) "Applicant's amendment necessitated the new ground(s) of rejection presented in this Office Action. Accordingly, THIS ACTION IS MADE FINAL" (*citing* MPEP 706.07(a)). No subsequent amendment to any claims has been made or requested by Applicant.

The present Office Action mailed March 19, 2007 states (in paragraph 1) that "In view of the Pre-appeal [presumably referring to the Appeal Brief and Amendment to the Appeal Brief] filed on 11/09/2007 and 12/15/2007, PROSECUTION IS HEREBY REOPENED. New grounds of rejection are set for below." The Office Action does in fact assert new grounds for rejection.

Because the Office Action mailed March 19, 2007, includes (only) a new ground for rejection that was introduced in response to Applicants briefing on appeal, rather than in response to an amendment to any claim or to an IDS, Applicant believes that the rejection should

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be non-final. Applicant requests that the final nature of the rejection be withdrawn and that the arguments below be considered with a view to allowance of the claims as presently pending.

Traverse of Claim Rejections 35 U.S.C. § 103(a)

Claims 1-7, 9-11, and 13-20 stand rejected under 35 U.S.C. § 103(a) as being anticipated by U.S. Patent Pub. No. 2005/0118998 to Sanchez Ferreras et al. (hereinafter "*Sanchez*") in view of U.S. Patent Pub. No. 2004/0190522 to Aerrabotu et al. (hereinafter "*Aerrabotu*"). Applicant respectfully traverses. The rejection of independent claims 1 and 13 is based, in part on the newly-cited reference Takubo. Without acquiescing in the application of *Sanchez* and *Aerrabotu*, Applicant asserts that Takubo fails to teach or suggest the features of claims 1 and 13 missing from them, as explained in more detail below.

As noted in the Office Action, *Sanchez* (and, by implication, the combination of *Sanchez* and *Aerrabotu*) fails to disclose the feature of:

> a storage element coupled to said associator, said storage element configured to store values representative of associations formed by said associator, the values together forming a roaming network table indicating the roaming relationships, **the values forming entries, the mobile nodes identified in terms of their respective home network portions and individual ones of the entries given less weight than other entries, without being deleted**, when aged beyond a selected age, the roaming network table accessible to identify the roaming relationships identified therein, usable subsequently to determine roaming capabilities of selected coverage areas of selected network portions.

and the method step of:

> forming a roaming network table indicating the roaming relationships, the roaming network table comprised of **entries in which the mobile nodes are identified in terms of their respective home network portions of which individual ones of the entries are, without being deleted, given less weight than other entries, when aged beyond a selected age,** the roaming network table accessible to identify the roaming relationships identified therein;

(emphasis added).

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Takubo is directed to an apparatus and method for performing call control in a mobile communication system where a visitor location register (VLR) has a small amount of storage capacity (*Takubo*, col. 2, lines 45-55). A VLR, of course, is used to store information relating to subscribers that have roamed into their respective service areas. The information is useful, for example, in handling calls to which the subscriber is a party. The information is obtained and stored in the VLR, for example, when a subscriber registers while in the area. There is no corresponding procedure, however, when the subscriber leaves the area, perhaps not to return for some time, if at all. If the subscriber is not in the area, of course, or is inactive, the related information in the VLR is of little use. The information still requires storage area, however, and this may become a problem if the VLR storage capacity is limited. To solve this problem, the system of *Takubo* provides for multiple storage area, and in certain circumstances overwrites (that is, deletes) information that is stored in the VLR.

When retrieving and storing new subscriber data, however, the *Takubo* system does not delete data indiscriminately. Rather it proposes a manner of deciding which data to delete at a given time (*see, for example,* col. 6, line 52 to col. 8, line 20, cited in the Office Action). The *Takubo* system, for example, may build a priority table and assign certain subscribers (that is, the data related to them) a lower priority. When unused storage space is not available, the lower-priority subscriber data may be overwritten with new data. The priority may be established, for example, by examining the month-date when the subscriber's data was last accessed (*see, for example,* col. 7, line 31 to col. 8, line 3). The new information being stored is not necessarily even related to that being deleted to make room for it.

The present invention, however, does not delete entries to make room for unrelated information. Rather, the stored information "without being deleted" is given less weight than the other entries when it ages beyond a selected age. The entries in the roaming network tables are formed of values useful to determine roaming capabilities of selected coverage areas. As should be apparent, if "old" information is simply deleted, the present invention could not utilize the entries as recited in the independent claims 1 and 13.

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Moreover, *Takubo* contemplates selectively deleting subscriber information stored in a VLR on a subscriber by subscriber basis to make room for other information. This is simply not relevant to the present invention. According to the present invention, the entries, formed of values representative of associations formed by an associator, are given less weight, if at all, on an individual basis. In short, *Takubo* teaches deleting subscriber data from VLRs based on certain criteria. The present invention recites giving individual entries on a roaming network table less weight, without deleting them. *Takubo* is simply not relevant to the present invention. It is not concerned with individual entries on roaming network tables stored, for example in a network service center.

As acknowledged in the Office Action, *Sanchez* and *Aerrabotu* fail to teach, suggest, or render obvious the unique combination now recited in independent Claims 1 and 13. As described above, *Takubo* fails to supply the features missing from *Sanchez* and *Aerrabotu*, and, to the extent it is even relevant (which Applicant believes it is not) would be incompatible with the present invention.

It is therefore respectfully submitted that Claims 1 and 13 are clearly distinguishable from the cited references in a patentable sense, and are therefore allowable over them. Accordingly, it is respectfully requested that the rejection of Claims 1 and 13 under 35 U.S.C. § 103(a) be withdrawn.

Claims 2-7, 9-11, and 14-20 depend from and further limit independent Claims 1 and 13, in a patentable sense, and, for at least for this reason are also deemed to be in condition for allowance. Accordingly, it is respectfully requested that the rejections of dependent Claims 2-7, 9-11, and 14-20 be withdrawn, as well.

Applicant has now made an earnest attempt to place this application in condition for allowance, or in better condition for appeal. Therefore, Applicant respectfully requests, for the reasons set forth herein and for other reasons clearly apparent, full allowance of Claims 1-7, 9-11, and 13-20 so that the Application may be passed to issue.

Should the Examiner have any questions or desire clarification of any sort, or deem that any further amendment is desirable to place this application in condition for allowance, the Examiner is invited to telephone the undersigned at the number listed below.

Respectfully submitted,

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